

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts  
Southern District of Texas

FILED

January 22, 2024

Nathan Ochsner, Clerk of Court

United States of America

v.

Jonathan Freeman  
Christopher Avery Kelly

Case No.

**4:24-mj-0025***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 23, 2023 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

• Title 18 U.S.C § 1951(a)

Interference with Commerce by Threats or Force

This criminal complaint is based on these facts:

See the attached affidavit

☒ Continued on the attached sheet.*Complainant's signature*

Steven Dvornick, FBI Special Agent

*Printed name and title*

Sworn to before me and signed by telephone

Date: 01/22/2024City and state: Houston, TX*Judge's signature*

Hon Yvonne Y. Ho, U.S. Magistrate Judge

*Printed name and title*

**4:24-mj-0025**

**ATTACHMENT A**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Steven Dvornick, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), Department of Justice, and have been so employed since July 2022. During my time in the FBI, I have participated in investigations of RICO, murder for hire, assaults on federal officers, Hobbs Act violations, violent crimes, drug trafficking, and violations of federal firearms laws, among other things. I have also conducted or participated in surveillances, the execution of search warrants, debriefings of informants and reviews of recorded conversations. Through my training, education, and experience, including conversations with other law enforcement officers, I have become familiar with the patterns of activity regarding aggravated robbery suspects and the methods they employ to plan, coordinate, and conduct these robberies.

2. This Affidavit is made in support of a criminal complaint charging Frank Blanco and Destinee Guerrero with Felon in Possession in violation of Title 18 U.S.C. § 922(g)(1) and Interference with Commerce by Threats or Violence in violation of 18 U.S.C. § 1951(a). I am familiar with the information contained in this Affidavit based upon the investigation I have personally conducted and my conversations with other law enforcement officers involved in this investigation.

3. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause that violations of Title 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 1951(a) have been committed by

Christopher Kelly and Jonathan Freeman. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

**PROBABLE CAUSE**

4. The FBI Houston Violent Crimes Task Force (VCTF) is investigating Hobbs Act violations in Houston, Texas. The investigation concerns possible violations by Christopher KELLY (KELLY) and Jonathan FREEMAN (FREEMAN), of Title 18, United States Code, Section 1951 interference with commerce by threats or violence, Title 18 United States Code, Section 924 brandishing a firearm in commission of a violent act, and Title 18 United States Code, Section 922 felon in possession.

5. On 4/15/2022, Cash America Pawn Shop, located at 13706 Almeda Road, Houston TX, was robbed at gunpoint by two black males. The males used a water bottle to keep the exit door open to ensure the doors could not be remotely locked. Male Suspect 1 (FREEMAN) brandished a pistol and pointed it at employees while Male Suspect 2 (KELLY), begins pulling money out of the registers. Male Suspect 1's physical stature is consistent with FREEMAN. Black Male 2's (KELLY) physical stature and tattoos are consistent with Christopher KELLY. FREEMAN continues to point the gun at employees while both men give instructions. After they gather all the money, FREEMAN and KELLY flee the scene on foot. The men took approximately \$800 in cash from the store.

6. On June 1, 2023, Cash America Pawn Shop, located at 13706 Almeda Road, Houston TX, was robbed at gunpoint by two black males. The robbery took place at approximately 12:18 PM. This is the same store at the April 15, 2022 robbery. The males again used a water bottle to keep the exit door open to ensure the doors could not be remotely locked. Black Male 1 (FREEMAN) pulled out a bag and began collecting money while KELLY brandished a pistol and pointed it at

employees. Male Suspect 1's physical stature, including his height and weight, and neck and facial tattoos are consistent with FREEMAN. Employees were given commands by both men. FREEMAN pulled money out of the registers and the safe and placed the money in the bag he was carrying. Approximately \$3000 in cash was stolen from the store's registers and safe. The subjects fled on foot north on FM521 and can be seen running into the parking directly north of the Cash America Pawn Shop. Approximately 10 seconds after both FREEMAN and KELLY enter the enclosed parking lot, the passenger door of a white SUV is opened and closed, then the white SUV exits the parking lot, at a fast rate of speed, and is driven north on FM 521 Road.



Above is FREEMAN's Texas Identification Card photograph and a photograph from the robbery on June 1, 2023. In the lower left eye of both photographs, a tattoo can be seen that are similar in appearance. The neck in both photographs also have a tattoo that are similar in appearance.



Above is KELLY's Texas Identification Card photograph and a photograph from the robbery on June 1, 2023. In the lower left eye of both photographs, a tattoo can be seen that are similar in appearance.

7. Approximately 15 minutes before the robbery took place on June 1, 2023, a black male wearing the same clothing worn by KELLY during the robbery and matching KELLY'S physical description, is seen on Cash America Pawn Shop surveillance video, walking by the pawn shop, north on Alameda Road. While KELLY walked by the pawn shop, he held what appeared to be a cell phone in his hand. KELLY is out of the view of surveillance video for approximately four minutes, before he is seen walking past the Cash America Pawn Shop, south on Alameda Road.

8. A 2003 white GMC Yukon bearing Texas license plates LWG6238 (hereafter referred to as LWG6238), missing a rear bumper and a front license plate, was identified as a vehicle of interest in this case. A vehicle appearing to be a GMC Yukon is seen from surveillance video from the Cash America Pawn Shop. The license plate could not be seen by the surveillance video from the Cash America Pawn Shop, so investigators used the Flock database to search for the vehicle. The Flock database consists of license plate reader cameras throughout the Houston area. The license plate of the white GMC Yukon, missing a rear bumper and a front license plate, was identified through the Flock database. The Flock database was searched for white SUVs that were missing a rear bumper, had no front license plate, and matched the appearance of the white SUV seen on Cash America Pawn Shop surveillance video. LWG6238 was the only white SUV that was missing a rear bumper and a front license plate and matched the surveillance video from the Cash America Pawn Shop that was in the vicinity of the Cash America Pawn Shop before and after the robbery took place. At 11:28 AM, LWG6238 scans westbound on Almeda Genoa Road, from Scott Street, which is heading towards the Cash America Pawn Shop. At 1:20 PM, LWG6238 scans northbound on Kirby Drive, from Mowery Road, which is heading away from the Cash America Pawn Shop.

9. Approximately one minute prior to the robbery on June 1, 2023, LWG6238 backs into an enclosed parking lot directly north of the Cash America Pawn Shop. The passenger door of LWG6238 opens and closes and approximately 3 seconds after the door closed, KELLY walks from the vicinity of LWG6238 and walks to and enters Cash America Pawnshop, followed by FREEMAN.

10. On June 23, 2023, Cash America Pawn, located at 8620 South Main Street, Houston, TX, was robbed by two black males at gunpoint. The males again used a water bottle to keep the exit door open to ensure the doors could not be remotely locked. Male Suspect 1 (FREEMAN) pulled

out a bag and began collecting money while Male Suspect 2 (KELLY) brandished a pistol and pointed it at employees. Both men gave employees commands. FREEMAN pulled money from the register and employees were instructed to gather money and give it to FREEMAN. KELLY saw a female in the back talking on the phone and told FREEMAN that they needed to go. Both men fled the scene on foot south on South Main Street. Approximately \$5,000 in cash was stolen from the store.





Above is surveillance photographs from the Cash America Pawn surveillance video and a picture from Christopher Kelly's Facebook page. The photographs show similar shoes worn by KELLY as well as a similar physical stature and facial hair.

11. On June 23, 2023, approximately two minutes before the robbery took place, KELLY and FREEMAN are seen on the pawn shop's surveillance video standing outside of the Cash America Pawn, located at 8620 South Main Street, Houston, TX. FREEMAN walks in front of the pawn shop and stands smoking a cigarette. KELLY approaches FREEMAN and FREEMAN hands



KELLY the cigarette. KELLY takes several puffs from the cigarette, then drops the cigarette before entering the pawn shop.

12. The cigarette was recovered by Houston Police Department (HPD) officers on 6/23/2023 and was submitted to the HPD property room. The cigarette was then transferred to FBI evidence on July 26, 2023 and has been sent to the FBI Laboratory in Quantico, Virginia for DNA processing. DNA search warrants were executed on both KELLY and FREEMAN and the collected swabs were also sent to the FBI Laboratory to serve as reference samples.

13. On July 7<sup>th</sup>, 2023, a traffic stop was conducted on the GMC Yukon bearing Texas license plates LWG6238, identified from the June 1<sup>st</sup>, 2023 robbery. Christopher KELLY was a passenger of the vehicle and provided his Texas state driver's license to the Houston Police Department Officer that conducted the traffic stop. The driver was Nicole Wooten, who owned the GMC Yukon. KELLY then provided the phone number 713-499-0692 as his phone number to the HPD Officer.

14. On July 24<sup>th</sup>, 2023, a traffic stop was conducted on the GMC Yukon bearing Texas license plates LWG6238, identified from the June 1<sup>st</sup>, 2023, robbery, by Houston Police Department officers. Jonathan FREEMAN was the driver of the vehicle and Nicole Wooten was the passenger. FREEMAN provided the name of Gerald Terrel Murphy with the date of birth 5/28/1988 to police officers initially. After searching several databases and driver's license photographs, HPD Officer's identified FREEMAN as Jonathan Freeman. REEMAN confirmed that he was FREEMAN once HPD Officers stated his true name. FREEMAN and WOOTEN said that they live together off of N MacGregor Way, Houston, TX 77004. FREEMAN had open warrants and was arrested by the HPD Officers.

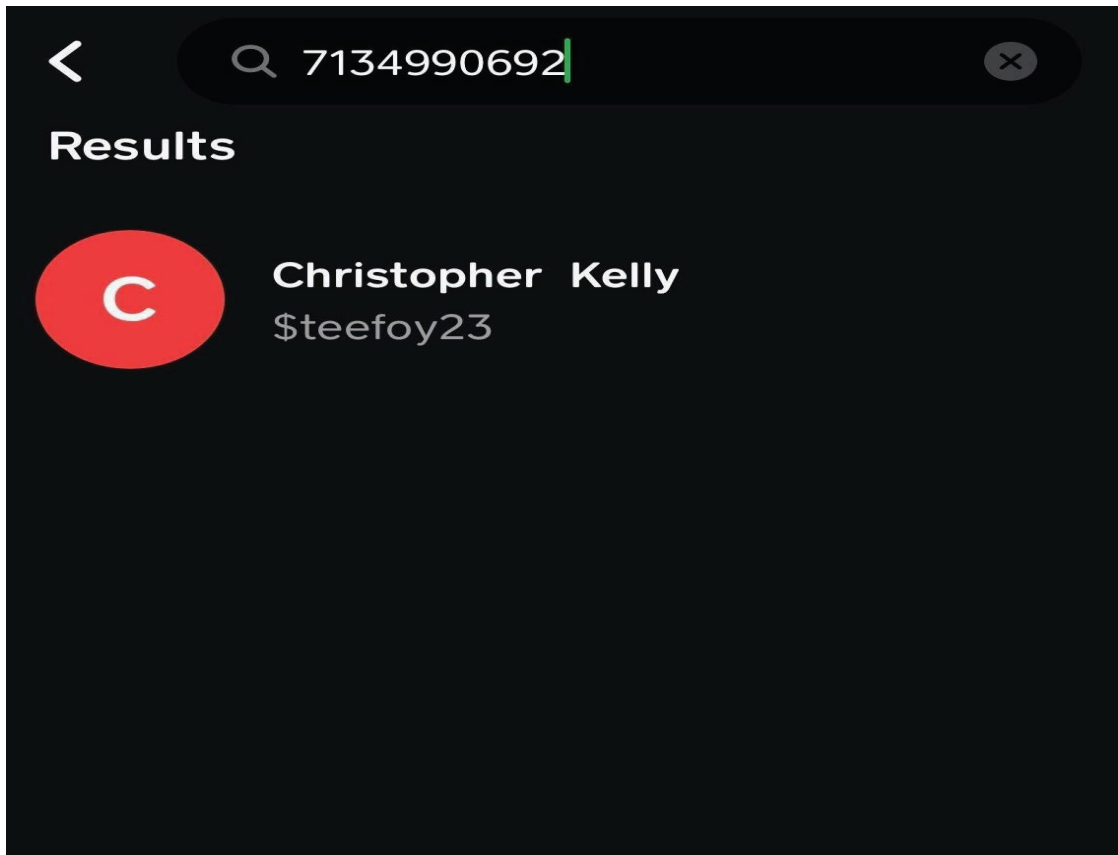
15. On August 3<sup>rd</sup>, 2023, FREEMAN was located at the Harris County Jail. FREEMAN made a phone call to 281-380-0840 at approximately 5:11 PM. FREEMAN informs the unknown male recipient of the call (hereafter referred to as UM) that he was charged with two aggravated robberies. UM responds that FREEMAN did not do anything. FREEMAN then says, “they put both uh pawn shops on me bitch, you can see my face clear as day, I can’t play with them folks. But the thing about it is I’m good because I just put the bottle between the door you know what I’m saying, grabbed the money. They only give a fuck about the n\*\*\*a whose got the gun, guy pulled the whole thing woopy woop woop. I don’t even know that n\*\*\*a, but you tell this n\*\*\*a whoever he is man he needs to lay low low low low low.” FREEMAN admitted to UM that he placed the water bottle in two of the pawn shops robberies and grabbed the money, which is consistent with the June 1<sup>st</sup> and June 23<sup>rd</sup>, 2023 pawn shop robberies.

16. On August 4, 2023, KELLY was arrested on a state warrant for aggravated robbery with a deadly weapon related to the pawn shop robberies. KELLY had an Apple iPhone (KELLY’s phone) on his person during the arrest. On August 4, 2023, KELLY was interviewed by SA Dvornick and TFO James Black, who is a Houston Police Department Officer investigating the pawn shop robberies. During the interview KELLY denied taking part in the pawn shop robberies. KELLY also denied being involved in the traffic stop on July 7<sup>th</sup> in LWG6238, where KELLY was the passenger and provided his Texas state driver’s license and his phone number to the HPD officer that conducted the traffic stop. KELLY did not know anyone named Nicole Wooten, who was the driver during the traffic stop on July 7<sup>th</sup>, 2023, involving LWG6238. After being shown photographs from the robberies that showed KELLY and FREEMAN exiting the pawn shops on the respective days, KELLY stated that all the individuals in the photographs were six different people and that he was none of the individuals nor did he know any of the individuals. KELLY

stated that he did not know FREEMAN after being shown FREEMAN's driver's license photograph. KELLY stated that he owned KELLY's phone for approximately one year. KELLY provided the password of 041221, which unlocked KELLY's phone. KELLY wrote down the phone numbers of his brother, girlfriend, dad, and mom from KELLY's phone's contact list.

17. On August 4<sup>th</sup>, 2023, FREEMAN calls Nicole Wooten (hereafter referred to as WOOTEN) at 832-723-7638, at approximately 10:14 AM. WOOTEN tells FREEMAN that someone has something to tell FREEMAN. A male voice (hereafter referred to as UM2) talks and tells FREEMAN that "Doughboy" was arrested that morning outside of his parole officer's office. Doughboy is known by law enforcement to be the nickname for Christopher Kelly, who was arrested on the morning of August 4<sup>th</sup>, 2023 outside of his parole officer's office. FREEMAN and UM2 stop talking, then WOOTEN begins speaking with FREEMAN. FREEMAN and WOOTEN discuss that KELLY is dumb and that everybody knows his build and what shoes he wears. FREEMAN says that KELLY just did 10 years on an aggravated robbery charge and had 10 years left of parole. FREEMAN said this would be his first aggravated robbery charge. WOOTEN then connects another male voice (hereafter referred to as UM3) to the call with FREEMAN. FREEMAN tells UM3 that KELLY was arrested outside of his parole officer's office. FREEMAN said that KELLY should have left his phone with someone, because now they will see what KELLY was googling. FREEMAN asked if UM3 remembered the puma clothes that KELLY owns. UM3 said he knew the shoes and FREEMAN told UM3 that they matched KELLY to the robberies through the shoes and that the shoes were posted on KELLY's Facebook page. UM3 says that anyone can own those shoes and FREEMAN said that not many people are built like an egg.

18. A CashApp account was identified for KELLY that was linked to the phone number 713-499-0692. The display name of the account is Christopher Kelly.



The above photo is of the CashApp search function that links KELLY's phone number to an account under the name of Christopher Kelly.

19. Pursuant to a federal search warrant that was sworn out in the Southern District of Texas, the call detail records of KELLY's phone number 713-499-0692, was served to T-Mobile. The call details records return for KELLY's phone placed KELLY's phone at the location of all three pawn shop robberies on each April 15, 2022, June 1, 2023, and June 23, 2023, during the robberies. On April 15, 2022, KELLY's phone was located in the immediate vicinity of 13706 Almeda Road, Houston, TX 77053 and made two phone calls to 346-789-4167 between the times of 9:00AM – 9:10 AM. This coincides with the robbery that took place at Cash America Pawn Shop, located at 13706 Almeda Road, Houston TX at approximately 9:06 AM. On June 1, 2023, KELLY's phone

was located in the immediate vicinity of 13706 Almeda Road, Houston, TX 77053 and made 7 phone calls to various phone numbers between the time of 12:00 PM – 1:00 PM. This coincides with the robbery that took place at Cash America Pawn Shop, located at 13706 Almeda Road, Houston TX at approximately 12:18 PM. On June 23, 2023, KELLY's phone was located in the immediate vicinity of 8620 S Main Street, Houston, TX 77025 and made three phone calls between the times of 2:00 PM – 2:30 PM. This coincides with the robbery that took place at 8620 S Main Street, Houston, TX 77025 on June 23, 2023 at approximately 2:13 PM.

20. On August 16, 2023, a DNA Search Warrant for FREEMAN's DNA was executed at the Harris County Jail. During the execution of the search warrant, FREEMAN stated that he wanted to discuss the case with SA Dvornick and TFO Black, because he needed to know what was going on with the DNA search warrant. FREEMAN was read his advice of rights, which he understood and waived them. The interview was recorded. FREEMAN said that he did not know anything about the pawn shop robberies. FREEMAN said that the female with him when he was arrested was named "Tweety" and she lives in apartments off of N MacGregor Way. The vehicle they were driving, a white GMC Yukon, did not belong to Tweety. Tweety is known to law enforcement as Nicole Wooten. FREEMAN would have to talk with his lawyer about the Yukon more and see who Tweety let drive the Yukon during the dates of the robberies, as Tweety allowed many people to drive the Yukon. FREEMAN requested to have a lawyer present, so the interview and the recording was ended. Once the recording ended, FREEMAN continued to ask questions about the case, but was told to discuss the case further he would need to be advised of his rights again, to which FREEMAN refused. FREEMAN then said that he did not rob three pawn shops, but the last one, where he was smoking a cigarette outside of, that one sounded familiar. FREEMAN then exited the room.



21. On February 5th, 2008, Jonathan Freeman was sentenced for a second-degree felony Robbery charge in the 313<sup>th</sup> District Court of Houston.

22. On April 8th, 2009, Christopher Kelly was sentenced for a first-degree felony Aggravated Robbery with a deadly weapon in the 174<sup>th</sup> District Court of Harris County, Texas.

23. Based on the above information, I have reason to believe that KELLY and FREEMAN committed the three pawn shop robberies with a deadly weapon on April 15, 2022, June 1, 2023, and June 23, 2023.

**CONCLUSION**

24. Based upon the information delineated above, I believe that probable cause exists for the issuance of a Criminal Complaint charging Christopher KELLY and Jonathan FREEMAN with Title 18, United States Code, Section 1951 interference with commerce by threats or violence.

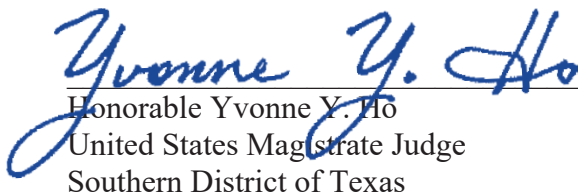
Respectfully submitted,



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Steven Dvornick  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me by telephone and I find probable cause.



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Honorable Yvonne Y. Ho  
United States Magistrate Judge  
Southern District of Texas